

Government of West Bengal
Urban Development Department
NAGARAYAN, DF-8, Sector-I,
Salt Lake, Kolkata-700064

NOTICE for 'e-Auction'

No. 1945 -UD/O/M/SL(NR)/8L-4/2012(Pt.-II)

Dated:-30-12-2015

e-AUCTION for ALLOTMENT of 4(four) COMMERCIAL PLOTS IN SECTOR-I AND Sector-III, SALT LAKE CITY, KOLKATA ON "LEASE-HOLD" BASIS FOR "COMMERCIAL USE."

Government of West Bengal in the Urban Development Department invites offers from eligible Indian Citizens and/or Firm/Company registered in India under Companies Act, for allotment of 4(four) plots being plot Nos. **BF-158**, **CA-222**, **CF-367** in Sector-I and **JC-19** in Sector-III, Salt Lake, Kolkata on 99 years LEASE-HOLD basis for commercial purpose through e-Auction process. Any change in land use pattern other than so specified will not be allowed. Proposed permissible construction should start within six months from the date of delivery of possession. E-Auction will be held on **08.03.2016** commencing from **11.30 hrs.** and will close at **15.30 hrs.**

The allotment will be made to the bidder offering the highest bid in the e-Auction to be conducted by the Urban Development Department/NIC provided that the highest bid so obtained is higher than the minimum Reserve Premium fixed for each of the plots.

The Earnest Money for each of the plots is Rs. 25, 00,000.00 and is to be deposited on or before **29.02.2016** through Demand Draft drawn in favour of **Accounts Officer, U. D. Department** Nagarayan, DF-8, Sector-I, Salt Lake, Kolkata-700064 payable at Calcutta.

Intending bidders shall have to register themselves with NIC on Government e-auction system on their website **eauction.gov.in** and such registration process should be completed at least two days before the e-auction. Details regarding registration, e-auction process, terms and conditions of e-Auction etc. will be available in the website of Urban Development Department and NIC. Bidders are also requested to note that **only digitally signed bids shall be accepted in the e-Auction. Hence, they should equip themselves with Digital Signature Certificates before the date of e-Auction. E-auction will be started on 08.03.2016 from 11.30 hrs onwards up to 15.30 hrs. subject to auto extension.**

For further details please visit www.wburbandev.gov.in. & eauction.gov.in.

The OFFER

Government of West Bengal in the Urban Development Department invites offers from eligible Indian Citizens and/or firm/company registered in India under Companies Act, for allotment of 4(four) plots being plot Nos. **BF-158, CA-222, CF-367** in Sector-I and **JC-19** in Sector-III, Salt Lake, Kolkata on 99 years LEASE-HOLD basis for commercial purpose through e-Auction process. Any change in land use pattern other than so specified will not be allowed. Proposed permissible construction should start within six months from the date of delivery of possession. E-Auction will be held on **08.03.2016 commencing from 11.30 hrs. and will close at 15.30 hrs.**

TERMS & CONDITIONS

- 1) E-auction bids are invited for getting allotment of above mentioned plots of land on lease hold basis for 99 years on 'As Is Where Is', 'Caveat Emptor' and 'No Complaint' basis only.
- 2) Government of West Bengal is the Lessor of the plots.
- 3) The successful Bidder should have to pay an Annual Rent to the extent of 0.25% of the Lease Premium per annum within the first ninety days of each year during the lease period, besides making payment of the Lease Premium.
- 4) No change of use other than the purpose of the instant allotment is allowed.
- 5) The Lessee will have to start construction on the allotted plot of land within six months of getting the possession and is required to complete construction within 36 months from the date of possession.
- 6) The word NIC wherever appearing means the National Informatics Centre.
- 7) The Word SUCCESSFUL BIDDER/BUYER/LESSEE wherever appearing means, successful bidder whose rate has been accepted by the Urban Development Department.
- 8) This E-Auction sale is governed by the

**GENERAL TERMS & CONDITIONS (GTC),
BUYER SPECIFIC TERMS & CONDITIONS (BSTC) AND
THE SPECIAL TERMS & CONDITIONS (STC)**

- of the e-auction. In case of any conflict or difference among any provisions of GTC, BSTC & STC, the provisions of STC will supersede others in the particular e-auction.
- 9) The special Terms & Conditions appearing on the day of e-auction under VIEW LIVE E-AUCTION are final and which may be downloaded. The details of property and STC displayed under view forthcoming auctions on Government's e-auction website are tentative and subject to change at the sole discretion of U.D. Department before the start of e-auction. Bidders should, therefore, download the details of property and STC displayed only under view live auctions for their record purpose, if required, and bid accordingly.
 - 10) E-Auction opening time, closing time, inspection schedule and other dates & times mentioned in the e-auction catalogue may be treated as (IST) Indian Standard Time only.
 - 11) The Bidders who are interested to get allotment of the above plot through e-auction should get themselves registered with NIC as bidder for e-auctions before

commencement of e-auctions. Bidders are also requested to note that **only digitally signed bids shall be accepted in the e-Auction. Hence, they should equip themselves with Digital Signature Certificates (DSC) before the date of e-Auction.**

- 12) There should be at least three (3) eligible Bidders to start the e-Auction process. If the number of such bidders is less than three then the e-auction process would be cancelled and the EMD returned.

13) **Schedule of Property:**

All that piece and parcel of property as shown below:

Sl. No.	Plot No.	Location	Area	Category
1.	BF-158	Sector-I, Salt Lake	48.295 Cottah	Commercial
2.	CA-222	Sector-I, Salt Lake	58 Cottah	Commercial
3.	CF-367	Sector-I, Salt Lake	54 Cottah	Commercial
4.	JC-19	Sector-III, Salt Lake	9 Cottah	Commercial

14) **Contact Persons:**

Urban Development Department	Urban Development Department	NIC
Shri Rishipada Naskar, Accounts Officer and Nodal Officer for e-auction, NAGARAYAN, DF-8, Sector-I, Salt Lake, Kolkata – 700064. Telephone:033-23349367 Email:rishipada.naskar66@gmail.com	Shri Atanu Sen, Help Desk Asstt., NAGARAYAN, DF-8, Sector-I, Salt Lake, Kolkata – 700064, Telephone:(033) 2334-9307 Email:atanusenud15@gmail.com	HELP DESK 180030702232 Email: support.tender@nic.in

15) **Eligibility Conditions for Bidders:**

The offer is open for eligible **Indian Citizens/Firms or Companies registered in India under Companies Act**, Such certificates/ documents as proof of eligibility have to be submitted at the time of registration.

There should be at least three (3) eligible Bidders for each plot to start the e-Auction process. If the number of such bidders is less than three then the e-auction process would be cancelled and the EMD returned.

16) **Registration:**

All those who wish to participate in this e-auction and who fulfill the eligibility conditions as stated above shall have to register with Government e-auction system on the website eauction.gov.in as a Buyer. Registration shall involve filling up an online form and submission of necessary documents with NIC. All documents and fees pertaining to this e-auction must be addressed to the Auction Inviting Officer. On receipt of all documents, the bidder's registration shall be activated by NIC and only thereafter a bidder can log into the website.

Participation in this e-auction is not possible without a valid registration.

In case there is any amendment/corrigendum in this document, the same will be uploaded in the website of the Urban Development Department by 29.02.2016. Bidders are advised to consult such corrigendum, if any, before such e-auction.

17) **Use and Protection of User Id, Password and Digital Signature Certificate**

The bidders are advised to keep their User Id and Password secret and not share these with any one to prevent misuse or abuse of the same. The bidders are also advised to change their passwords regularly. NIC/Urban Development Department shall not be responsible for any misuse/abuse/unauthorized use of the password of any bidder and no representation in this regard from any bidder shall be entertained by NIC/Urban Development Department. A bid recorded in this e-auction against any password will be deemed to have been submitted by the owner of the password only.

Bidders shall require class II or class III Digital Signature Certificate (DSC) to participate in this e-auction. The bidder shall have to set the parameters of his computers so that the DSC is operational. NIC/UD Department shall not be responsible for any malfunctioning or non-functioning of any bidder's computer either on account of DSC or for any other reason. Bids submitted by a bidder after signing with his/her DSC signifies non repudiation by the bidder. Thus, a bidder after submitting a bid, cannot disown it. A bidder shall be fully and solely responsible for the bid recorded against his/her name to be identified by the set of User Id, Password and DSC.

18) **Bidding Methodology**

On the date of e-Auction which will be held on 08.03.2016 from 11.30 hrs onwards, the bidder has to visit the e-auction website viz eauction.gov.in and click on the link for U. D. Department e-auctions. He/she has to login with his/her User Id and Password. In the next page, the bidder has to click on the link "View Live e-auctions" and click on the link with the e-auction number for this e-auction. The bidder shall be required to sign his acceptance of e-auction terms and conditions with his DSC and then only the bidder can have access to the bidding area.

The bidding for the plot shall be in 'Rs. Lakh' and a minimum increment of one Lakh. Thus to bid an amount of Rs. 1 Crore, a bidder needs to type 100 in the space provided for bidding and click on the BID button. On clicking the BID button, the bid has to be signed by the bidder with his DSC.

CAUTION IN SUBMISSION OF BID :

The Bidder shall be solely responsible for all consequences arising out of the bid submitted by him (including any wrongful bidding by him) and no complaint/representation will be entertained by NIC/UD Department in this regard. Hence Bidders must be careful to check (the Bid Amount/No. of Zeroes /No. of Digits/Unit of Measurement etc.) rectify their bid (if required) before submitting their Bid into the live e-Auction floor by clicking the 'Bid' Button. During Live Auction, only brief Lot/Item details will be shown under Lot Name on the Auction Floor where Bidders are required to bid. The complete Item Details can be seen by the Bidders by clicking on the respective Item hyperlinked under Lot Name and it shall be the responsibility of the Bidders to see the Item Details before bidding and no representation/complaint in this regard will be entertained by NIC/ UD Department from the bidders.

19) **Earnest Money Deposit (EMD)**

(I) All intending Bidders have to deposit an amount of **Rs. 25,00,000.00 (Rupees Twenty Five Lakhs only)** in the form of Demand Draft drawn in favour of Accounts Officer, U. D. Department, Nagarayan payable at Calcutta towards Earnest Money Deposit (EMD) against each plot to participate in this e-auction as below and intimate Auction Inviting Officer /Nodal Officer/Contact Person of UD Department/NIC.

(II) Submission of PRE-BID EMD by BIDDERS should be in favour of **Accounts Officer, U. D. Department** only through demand draft on or before **29.02.2016**. **Only those registered bidders shall be activated/ allowed to bid in this e-auction who have submitted UNCONDITIONAL Pre-Bid EMD and the demand draft has been submitted within the scheduled date.**

(III) Bidders should take utmost care to ensure that the EMD and intimation are made correctly. EMD deposited elsewhere will not be considered for participation in this e-auction. No interest will be payable on the EMD. EMD of the unsuccessful bidders would be returned by U. D. Department after completion of the bidding process.

(IV) The EMD of the Successful Bidder shall be returned after deposition of 1st instalment of lease premium. In case the Bid is accepted and the bidder refuses/fails to make payment towards the 1st instalment of lease premium, the EMD shall be forfeited without prejudice to the rights of UD Department to claim such further damages in this regard without further reference to the Bidder.

20) **Forfeiture of EMD**

The highest bidder shall be notified by email about the acceptance of his bid against this e-auction. Hence, bidders are advised to keep their email account active and monitor the same carefully. In case of non-receipt of email, the bidder may contact UD Department. **This is, however, subject to issue of offer letter by UD Department selecting such highest bidder as the successful bidder.**

In case the lease premium consideration is not paid as specified in the subsequent paragraphs by the Successful Bidder, the offer of allotment of the particular plot of land to the concerned Successful Bidder would stand cancelled and the Earnest Money Deposit and subsequent payment made if any by the Successful Bidder will automatically stand forfeited. In addition to such forfeiture as stated above the defaulting Bidder should not be allowed to take part in any of the bids which may be held by UD Department in future.

For the sake of clarity it is notified that there shall not be any extension of the last date fixed for payment of each of the instalment as specified in the Para 24 below. However, in case of last day, being holiday it will be extended automatically to next working day.

21) **Starting Price**

There is a 'Starting Price' for e-bidding for each of these plots and will be available in e-auction notice. Intending Bidders are required to quote bids above such price only for the plot for participating in the bidding process.

22) **Payment Schedule:**

22.1 25% of the lease premium shall be deposited by the Highest Successful Bidder into the Government Receipt head of account through GRIPS Portal within 30 days from the date of declaration regarding selection of the Bidder by U D Department.

22.2 The balance 75% amount of the lease premium will have to be paid in three equal monthly instalments i.e. first instalment of such 25% of the lease premium is to be paid within 30 days from the date of payment of the amount as stated at paragraph 23.1 above and second instalment of the 25% of the lease premium consideration will have to be paid within 30 days from the date of payment of the previous first instalment. The balance 25% of the Lease Premium is to be paid before the joint Measurement of the particular plot of land, preferably within 30 days from the date of last payment.

22.3 The Deed of Lease shall be executed only *after* entire amount of Lease Premium is credited into Government account through GRIPS portal and after the joint measurement of that particular plot of land is completed.

22.4 All taxes/duties/levies, etc. and expenses, if any as applicable and related to the allotment of the Plot of Land an offer, shall be entirely paid by the Successful Bidder(s).

23) **Default in Payment by the Successful Bidder**

In case the Lease Premium amount is not paid as per Payment Schedule given above by the Successful Bidder, the offer of allotment of the particular plot of land to the concerned Successful Bidder would stand cancelled and the Earnest Money Deposit and subsequent payment made if any by the Successful Bidder will automatically stand forfeited. In addition to such forfeited of EMD, the defaulting Bidder would not be allowed to take part in any e-auctions or any of the auction which may be held in future on behalf of UD Department. Decision in this regard shall be taken exclusively by UD Department and shall be final and binding on the bidders.

For the sake of clarity it is notified that there shall not be any extension of the last date fixed for payment of each of the instalments as specified above in the Payment Schedule. However, in case of last day being holiday, it will be extended automatically to the next working day.

24) **Other special conditions:**

24.1 The allotment of plot would be made in favour of a single successful bidder who has quoted highest rate above reserve price and who has been found to have fulfilled all conditions of allotment as stated in these documents.

24.2 The allotment would be made on lease hold basis for 99 years. There shall, however, be an option of renewal of the lease period on such terms and conditions as may be imposed by the LESSOR and included in such renewal lease deed.

24.3 The Plots of land so offered for commercial uses cannot be used for any other purpose. If at any point of time it is detected that such condition has been violated U D Department shall have the right to terminate the lease and to take back possession of the said plot of land along with structure thereon, if any, on as is where is basis.

24.4. Construction on these plots of land would have to be done in conformity with such building rules as may from time to time be framed by the Government or other authority

prescribed in that behalf as per use shown against each of these plots of land. Construction must begin within six months of land possession. An agreement to this effect has to be executed before possession.

24.5. The successful bidder has to execute the Deed of Lease with Urban Development Department for that particular plot of land would only be used for the aforesaid purpose ***and in case of any violation Urban Development Department would take action as per relevant rules.***

24.6 The allottee/Lessee may be allowed to mortgage the leasehold interest only (and not the demised plot of land itself) on the instant leasehold plot, either in full or part, only with the prior written permission of the Lessor.

24.7 The Lessee is not entitled to assign his leasehold interest, whether in full or in part, without prior written approval of the Lessor and the assignee shall hold the same on the same terms and conditions as in the original lease and to such other terms and conditions as may be considered to be imposed by the Lessor while granting such approval. In case of such assignment of leasehold interest the assignee concerned shall have to obtain fresh lease after expiry of the unexpired period of the lease on payment of such consideration money and annual rent based on the prevailing market value as may then be fixed by the Lessor in granting such lease.

24.8 The building/structure constructed on the plot/or any part thereof or the structure constructed thereon may be allowed for sub-leasing/sub-letting/assignment by the UD Department, in principle, on receipt of specific proposal keeping the principal use unchanged.

24.9 The Deed of Lease shall be executed only **after** entire amount of lease premium is credited into Government head of account through **GRIPS** Portal and after the joint measurement of that particular plot of land is completed.

24.10. All statutory clearances/ licences / permissions shall be obtained by the allottee within the time frame as stated herein.

24.11. **All bids shall remain valid for 180 (one hundred eighty days) from the date of closing of e-Auction**, excluding the date of closing. In case the 180th day falls on a holiday or remains closed, such Bids will be deemed to be automatically extended to be valid up to the next working day of the Government Department.

24.12. It would be deemed that by participating in the bidding process through this e-auction method, the Bidder has made a complete and careful examination of the terms and conditions for the instant Bid, received all relevant information required for submission of the Bid either from Urban Development Department or from his own due diligence and understood that he would have no recourse to Urban Development Department post transfer of ownership rights of the concerned property.

24.13. By bidding in this e-auction, the Bidders confirm that they have thoroughly satisfied themselves of the nature, conditions and quality of the assets and its physical condition and that they have no complaints about the same.

24.14. By bidding in this e-auction, the bidders undertake to abide by these terms and conditions of e-auction and further undertake that on being declared as Successful Bidder, they will make full payment towards lease premium and if they fail to do so they will have no objection to their EMD being fully forfeited by Urban Development Department.

24.15 Urban Development Department reserves the right to cancel the tender/ e-auction at any stage prior to the signing of the Lease Deed. Urban Development Department/NIC shall not be liable to pay any compensation to any bidder for any loss that they may incur due to such cancellation.

25) **Force Majeure**

Urban Development Department shall not be liable for any failure or delay in performance due to any cause beyond their control including fires, floods, strikes, go-slow, lock-out, closure, dispute with staff, dislocation of normal working conditions, War, riots, epidemics, political upheavals, Governments actions, civil commotion, breakdown of machinery, shortage of labour, demand or otherwise or any other cause or conditions beyond the control of aforesaid causes or not and the existence of such cause or consequence may operate at the sole discretion of Urban Development Department to extend the time of performance on the part of Urban Development Department by such period as may be necessary to enable Urban Development Department to effect performance after the cause of delays will have ceased to exist. The provisions aforesaid shall not be limited or abrogated by any other terms of the contract whether printed or written.

26) **Dispute Resolution**

Only courts in Kolkata will have jurisdiction for resolving any dispute arising out of this e-auction between the Successful Bidder/other bidders and Urban Development Department, Government of West Bengal.